IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 7999 of 2004(B)

PETITIONER:

K.JAYANANDAKUMAR, KIZHAKKETHIL VEEDU,
KANJIRAMKULAM, NEYYATTINKARA,
THIRUVANANTHAPURAM DISTRICT

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT REVENUE DEPARTMENT, GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

2. THE KERALA STATE FINANCIAL ENTERPRISES LTD., THRISSUR, REPRESENTED BY ITS MANAGING DIRECTOR.

3. DEPUTY COLLECTOR (R.R), KERALA STATE FINANCIAL ENTERPRISES LTD., THRISSUR

4. THE SPECIAL DEPUTY TAHSILDAR (R.R) KERALA STATE FINANCIAL ENTERPRISES LTD., REGIONAL OFFICE, SILVER JUBILEE BUILDINGS, STATUE, THIRUVANANTHAPURAM.

5. THE COMMISSIONER FOR LAND REVENUE, THIRUVANANTHAPURAM.

6. DR. MELVIN JOSEPH, INGINI, KANJIRAMKULAM P.O., THIRUVANANTHAPURAM.

7. DR.ANU N.V., DO.DO.

8. THE SUB REGISTRAR, KANJIRAMKULAM,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT. DEEPA
SRI.T.NAVEEN, SC, K.S.F.E. LTD.
ADV. SRI.RAJU JOSEPH, ADDL.SC.,KSFE LTD.
SRI.R.S.KALKURA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE NOTICE DATED ISSUED BY THE 4TH RESPONDENT.

EXT.P2: COPY OF THE COMMUNICATION DATED 1.1.2001 ISSUED BY THE 1ST RESPONDENT.

EXT.P3: COPY OF THE COMMUNICATION DATED 11.1.2001.

EXT.P4: COPY OF THE COMMUNICATION DATED 15.1.2001 ISSUED BY THE 4TH RESPONDENT.

EXT.P5: COPY OF THE JUDGMENT DATED 10.4.2001 IN O.P. No.12813 OF 2001 BEFORE THIS HON'BLE COURT.

EXT.P6: COPY OF THE REVISION PETITION DATED 11.6.2001 FILED BY THE PETITIONER BEFORE THE REVENUE COMMISSIONER, TRIVANDRUM.

EXT.P7: COPY OF THE ORDER DATED 19.3.2002 PASSED BY THE 5TH RESPONDENT.

EXT.P8: COPY OF THE REPRESENTATION DATED 5.6.2002 FILED BY THE PETITIONER BEFORE THE GOVERNMENT.

RESPONDENTS EXHIBITS:

EXT.R7(a): COPY OF THE ENCUMBRANCE CERTIFICATE DATED 11.8.1998.

EXT.R7(b): COPY OF THE SALE DEED NO. 957/98 DATED 12.10.1998.

EXT.R7(c): COPY OF THE SALE DEED NO, 265/99 DATED 8.3.1999.

EXT.R7(d): COPY OF THE LETTER OF SANCTION DATED 9.7.1999 ISSUED BY THE STATE BANK OF INDIA, PATTOM BRANCH.

EXT.R7(e): COPY OF THE COMPLAINT NO.33/2001 BEFORE THE KERALA LOKAYUKTA.

EXT.R7(f): COPY OF THE ORDER DATED 2.4.2001 DISMISSED THE COMPLAINT FILED BY THE PETITIONER.

EXT.R7(g): COPY OF THE RECEIPT INDICATING DEPOSIT OF THE BID AMOUNT BY THE RESPONDENTS 6 AND 7 DATED 11.1.2001.

EXT.R7(h): COPY OF THE RECEIPT INDICATING DEPOSIT OF THE BID AMOUNT BY

RESPONDENTS 6 AND 7 DATED. 29.1.2001.

EXT.R7(i): COPY OF THE PROCEEDINGS WITH REGARD TO THE CONFIRMATION OF SALE OF THE 2ND RESPONDENT DTD. 24.2.2001.

EXT.R7(j): COPY OF THE SALE DEED DATED 17.3.2001.

EXT. R7(k): COPY OF THE REVISION PETITION DATED 11.6.2001.

EXT. R7(l): COPY OF THE PLAINT IN OS NO.21/2002.

EXT. R7(m): COPY OF THE PROCEEDINGS DATED 4.7.2002

TRUE COPY

P. A. TO JUDGE

KURIAN JOSEPH, J.

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W.P.(C)NO.7999 OF 2004

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Dated this the 28th day of March 2007

JUDGMENT

Aggrieved by Ext.P7 order passed by Commissioner of Land Revenue, the petitioner has filed Ext.P8 representation before the Government. In case no action has so far been taken, there will be a direction to the first respondent to pass appropriate orders in accordance with law on Ext.P8 with notice to the petitioner and respondents 2, 6 and 7 within a period of four months from the date of receipt of a copy of this judgment. It will be open to the parties to take all available contentions before the Government.

KURIAN JOSEPH, JUDGE

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